

WHAT IS CLAIMED IS:

- 1 1. A method of utilizing an intellectual property grouping owned by a
2 patent entity to generate income, comprising
3 acquiring rights in a first intellectual property asset from a seller on
4 behalf of a patent investment entity;
5 providing compensation to the seller in exchange for the first
6 intellectual property asset;
7 granting less than all of the rights in the first intellectual property asset
8 to the seller of the intellectual property asset in exchange for a stream of payments,
9 wherein granting less than all of the rights in the first intellectual property asset
10 creates residual rights in the first intellectual property asset; and
11 utilizing the residual rights in the first intellectual property asset to
12 generate income for the patent investment entity.
- 1 2. The method of claim 1, wherein providing compensation to the seller
2 in exchange for the first intellectual property asset includes acquiring all substantial
3 rights of value in the first intellectual property asset.
- 1 3. The method of claim 1, further including providing compensation to
2 the seller in exchange for at least a second intellectual property asset and grouping
3 residual rights from the second intellectual property asset with the residual rights in
4 the first intellectual property asset.
- 1 4. The method of claim 1, wherein providing compensation to the seller
2 in exchange for the first intellectual property asset includes providing an interest in
3 the patent investment entity.
- 1 5. The method of claim 4, further including distributing the generated
2 income based upon the interests in the patent investment entity.

1 6. The method of claim 1, wherein providing compensation to the seller
2 in exchange for the first intellectual property asset includes providing cash equivalent
3 to the fair market value of the intellectual property asset.

1 7. The method of claim 1, further including analyzing the residual rights
2 in the first intellectual property asset to identify a new intellectual property asset.

1 8. The method of claim 1, wherein the residual rights in the first
2 intellectual property asset is grouped according to at least one common characteristic.

1 9. The method of claim 7, wherein the common characteristic is a field of
2 technology.

1 10. The method of claim 1, further including offering an equity interest in
2 the patent investment entity to at least one third party.

1 11. A method of utilizing an intellectual property grouping owned by a
2 patent entity to generate income, comprising
3 acquiring rights in a first and second intellectual property asset from at
4 least one seller on behalf of a patent investment entity;
5 providing compensation to each of the at least one seller in exchange
6 for the first and second intellectual property assets;
7 granting less than all of the rights in the first intellectual property asset
8 to the sellers of the first and second intellectual property assets in exchange for a
9 stream of payments, wherein granting less than all of the rights in the first and second
10 intellectual property asset creates first and second residual rights in the first and
11 second intellectual property assets, respectively; and
12 utilizing the first and second residual rights in the first and second
13 intellectual property asset to generate income for the patent investment entity.

1 12. The method of claim 11, wherein providing compensation to the seller
2 in exchange for the first and second intellectual property assets includes acquiring all
3 substantial rights of value in the first and second intellectual property assets.

1 13. The method of claim 11, further including providing compensation to
2 the seller in exchange for at least a third intellectual property asset and grouping
3 residual rights from the third intellectual property asset with the first and second
4 residual rights.

1 14. The method of claim 11, wherein providing compensation to the at
2 least one seller in exchange for the first and second intellectual property asset includes
3 providing an interest in the patent investment entity to each seller.

1 15. The method of claim 14, further including distributing the generated
2 income based upon the interests in the patent investment entity.

1 16. The method of claim 11, wherein providing compensation to the seller
2 in exchange for the first and second intellectual property assets includes providing
3 cash equivalent to the fair market value of the first and second intellectual property
4 assets.

1 17. The method of claim 11, further including analyzing the first and
2 second residual rights in the first and second intellectual property asset to identify a
3 new intellectual property asset.

1 18. The method of claim 11, wherein the first and second residual rights in
2 the first and second intellectual property assets are grouped according to at least one
3 common characteristic.

1 19. The method of claim 18, wherein the common characteristic is a field
2 of technology.

1 20. The method of claim 11, further including offering an equity interest in
2 the patent investment entity to at least one third party.

1 21. A patent investment entity configured to manage an intellectual
2 property grouping to generate income, comprising
3 an intellectual property grouping, including

4 at least one residual right in a first intellectual property asset,
5 the first intellectual property right created by a grant of less than all of the
6 rights in the first intellectual property asset in exchange for a stream of
7 payments;

8 at least one equity interest in the patent investment entity, the interest
9 configured to represent an interest in income generated by the intellectual property
10 grouping; and

11 an income distribution system, the system configured to distribute
12 income generated by the intellectual property grouping.

1 22. The patent investment entity of claim 21, wherein the intellectual
2 property grouping further includes at least a residual right from a second intellectual
3 property asset with the residual right in the first intellectual property asset.

1 23. The patent investment entity of claim 21, intellectual property
2 grouping is created based on the exchange of at least one equity interest for the first
3 intellectual property asset.

1 24. The patent investment entity of claim 23, further including a
2 distribution system configured to distribute the generated income based upon the
3 equity interests in the patent investment entity.

1 25. A method of structuring a transaction to acquire an intellectual
2 property asset including an intellectual property right, comprising
3 acquiring a first portion of the intellectual property right from a seller
4 in exchange for the fair market value of the first portion;
5 acquiring a second portion of the intellectual property right from a
6 seller in exchange for an equity interest in a patent investment entity;
7 leasing the first portion of the intellectual property right to the seller
8 for a predefined lease term; and
9 utilizing the second portion of the intellectual property right as a
10 source of income for the patent investment entity.

1 26. The method of claim 25, wherein the intellectual property asset is a
2 patent and wherein the right is a right associated with a patent.

1 27. The method of claim 26, wherein the first portion of the intellectual
2 property right is a license.

1 28. The method of claim 25, wherein the amount of the equity interest in
2 the patent investment entity is based on the appraised value of the second portion of
3 the intellectual property right for licensing.

1 29. The method of claim 25, wherein leasing the first portion of the
2 intellectual property right includes granting an exclusive license within a defined field
3 of use.

1 30. The method of claim 25, wherein the predefined lease term is a term
2 defined to be based on 80% of the economic life of the intellectual property asset.

1 31. The method of claim 30, further including providing the seller with an
2 option to acquire the first portion of the IP right at the expiration of the predefined
3 lease term.

1 32. The method of claim 25, wherein utilizing the second portion of the IP
2 right as a source of income for the patent investment entity includes licensing the
3 second portion of the IP right to a third party.

1 33. The method of claim 25, wherein utilizing the second portion of the IP
2 right as a source of income for the patent investment entity includes identifying
3 potential infringers of the IP asset.

1 34. A method of structuring a transaction to acquire an intellectual
2 property asset including an intellectual property right, comprising
3 acquiring a first portion of the intellectual property right from a seller
4 in exchange for the fair market value of the first portion;

5 acquiring a second portion of the intellectual property right from a
6 seller in exchange for an equity interest in a patent investment entity;
7 leasing the first portion of the intellectual property right to the seller
8 for a predefined lease term; and
9 utilizing the second portion of the intellectual property right in
10 combination with at least one second portion from at least one second intellectual
11 property asset as a source of income for the patent investment entity.

1 35. The method of claim 34, wherein the intellectual property asset is a
2 patent and wherein the right is a right associated with a patent.

1 36. The method of claim 35, wherein the first portion of the intellectual
2 property right is a license.

1 37. The method of claim 34, wherein the amount of the equity interest in
2 the patent investment entity is based on the appraised value of the second portion of
3 the intellectual property right for licensing.

1 38. The method of claim 34, wherein leasing the first portion of the
2 intellectual property right includes granting an exclusive license within a defined field
3 of use.

1 39. The method of claim 34, wherein the predefined lease term is a term
2 defined to be based on 80% of the economic life of the intellectual property asset.

1 40. The method of claim 39, further including providing the seller with an
2 option to acquire the first portion of the IP right at the expiration of the predefined
3 lease term.

1 41. The method of claim 34, wherein utilizing the second portion of the IP
2 right as a source of income for the patent investment entity includes licensing the
3 second portion of the IP right to a third party.

1 42. The method of claim 34, wherein utilizing the second portion of the IP
2 right as a source of income for the patent investment entity includes identifying
3 potential infringers of the IP asset.